

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 08-5831(DSD/JSM)

Steven E. Rousseau,

Petitioner,

v.

ORDER

St. Peter Regional Treatment
Center,

Respondent.

This matter is before the court upon petitioner's pro se objections to the November 19, 2008, report and recommendation of Magistrate Judge Janie S. Mayeron. In her report, the magistrate judge recommends that this 28 U.S.C. § 2254 habeas corpus action be summarily dismissed for lack of jurisdiction.

The court reviews the report and recommendation of the magistrate judge de novo. 28 U.S.C. § 636(b)(1)(C); D. Minn. LR 72.2(b). After a de novo review, the court finds that the report and recommendation of the magistrate judge is well reasoned and correctly disposes of petitioner's motion. Therefore, the court adopts the report and recommendation [Doc. No. 4] in its entirety.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Petitioner's petition for a writ of habeas corpus [Doc. No. 1] is denied; and

5. This action be summarily dismissed without prejudice for lack of jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 23, 2008

s/David S. Doty
David S. Doty, Judge
United States District Court